

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39448 of 2024

Arising Out of PS. Case No.-797 Year-2023 Thana- ARA NAWADA District- Bhojpur

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Dharmendra Kumar @ Dharmendra Kumar Yadav S/O Krishna Kumar Singh
Yadav @ Krishna Yadav Permanent Resident Of Purab Tola Kali Mandir,
P.S.- Brahampur, Dist- Buxar At Present R/O - Chaurain Bhawan, Over
Bridge, Railway Gumti, P.S.- Nawada, Dist- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Singh, Advocate

For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 21-06-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Nawada P.S. Case No.
797 of 2023, instituted for the offences punishable under
Sections 414, 420, 467, 468, 471 and 120-B/34 of the Indian
Penal Code.

3. The prosecution case, in short, is that, on receipt of
secret information, the police party reached at the place
occurrence and stopped a white Scorpio car from which co-
accused Dharmendra Kumar and Vinod Kumar were
apprehended. On query, the apprehended persons did not
produce the papers of the Scorpio car.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. The vehicle in question does not belong to the petitioner and the petitioner has no concern with other accused persons of this case. The petitioner is in custody since 11.11.2023 and has got five criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 01.04.2024 passed in Cr. Misc. No. 21787 of 2024, order dated 10.04.2024 passed in Cr. Misc. No. 15666 of 2024 and order dated 26.04.2024 passed in Cr. Misc. No. 12065 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, taking into account the period of custody undergone by the petitioner and claim based on parity, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Nawada P.S. Case No. 797 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner is found involved in similar nature of offence in future, the Trial Court will have the liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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